



Office of Administrative Services  
FOIA Requester Service Center

November 19, 2015

Ms. Carole J. Huber  
AECOM  
401 West A Street, Suite 1200  
San Diego, CA 92101

Dear Ms. Huber:

This is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (GSA-2016-000080), submitted on October 22, 2015, in which you requested the following:

"The types of records we would like to request for review are:

1. All Proposals Submitted.
2. Final Pricing information from the selected consultant
3. Any material given to the GSA during the presentation from all the presenters

The solicitations we are interested in receiving records for are:

- Solicitation No. GS-871-7-NCA00208 - CM Services for Phase 2 of the Expansion & Reconfiguration Project at the San Ysidro LPOE
- Solicitation for BPA Contract No. GS-10F-09-LP-A-0029 – CM Services for the West Pedestrian Building and Phase 3 of the Expansion & Reconfiguration Project, San Ysidro LPOE"

Enclosed please find the documents responsive to your request. These documents are:

1. Executed award document GSA300 form for the CM Services for Phase 2 of the Expansion & Reconfiguration Project at the San Ysidro LPOE.
2. Executed award document GSA300 form for CM Services for the West Pedestrian Building and Phase 3 of the Expansion & Reconfiguration Project, San Ysidro LPOE.

In processing your request, we withheld the following:

- "All Proposals Submitted" for both the Solicitation No. GS-871-7-NCA00208 - CM Services for Phase 2 of the Expansion & Reconfiguration Project at the San Ysidro LPOE and the Solicitation for BPA Contract No. GS-10F-09-LP-A-0029 – CM Services for the West Pedestrian Building and Phase 3 of the Expansion & Reconfiguration Project, San Ysidro LPOE in accordance with exemption (b)(3), which exempts

U.S General Services Administration  
1800 F Street, NW, Room 7308  
Washington, DC 20405  
Telephone: (855) 675-3642  
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information that is prohibited from disclosure by another Federal law. Pursuant to Federal law 41 U.S.C. 253b(m), proposals in the possession or control of an executive agency may not be made available to any person under FOIA, except to the extent a proposal is incorporated into the contract. Here, the awardees' proposals were not incorporated into the contract.

- “Any material given to GSA during the presentation from all the presenters” for both the Solicitation No. GS-871-7-NCA00208 - CM Services for Phase 2 of the Expansion & Reconfiguration Project at the San Ysidro LPOE and the Solicitation for BPA Contract No. GS-10F-09-LP-A-0029 – CM Services for the West Pedestrian Building and Phase 3 of the Expansion & Reconfiguration Project, San Ysidro LPOE in accordance with the same exemption above. 41 U.S.C 253b(m) defines proposals to include anything submitted by a contractor in response to the requirements of a solicitation for a competitive proposal.
- Tax Identification and DUNS numbers in accordance with exemption (b)(4). Exemption 4 prohibits the Government from releasing information that is considered “trade secrets and commercial or financial information obtained from a person and privileged or confidential” if disclosure would cause substantial harm to the competitive position of the person from who the information came from.
- Signatures in accordance with exemption (b)(6). Exemption 6 protects information about individuals in “personnel...and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.”

You have the right to appeal the partial denial of the information withheld. To do so, you must write, within 120 days of your receipt of this letter, to the following address:

Freedom of Information Act Office (H1C)  
U.S. General Services Administration  
1800 F Street, Northwest, Room 7308  
Washington, DC 20405-0001

Your appeal must be in writing and contain a brief statement of the reasons why the withheld information should be released. Enclose a copy of your initial request and a copy of this letter. Both the appeal letter and envelope should be marked prominently “Freedom of Information Act Appeal.”

This completes our action on this request. Should you have any questions concerning this matter, please contact Christopher Lee at (415) 522-2877 or by email to [christopher.lee@gsa.gov](mailto:christopher.lee@gsa.gov).

Sincerely,

*Travis Lewis*

Travis Lewis  
FOIA Program Manager

Enclosures